

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

JOSE L. ORTIZ ROCHE
Petitioner

Vs.

Physician Correctional Corp
Defendant

CIV. NO. 23-CV-1215 GLS

AMENDED COMPLAINT

TO THE HONORABLE COURT:

COMES NOW Mayra Y. Vicil Bernier, Esq., legal representative for **José L. Ortiz Roche**, through a Pro-Bono Program assignment and unto this Honorable Court, must respectfully states that:

I. Parties

1. Physician Correctional Corp or Physician HMO, Inc. is a corporation authorized to do business in Puerto Rico hereinafter will be referred to as “the defendant or Physician”.
2. The defendant has the inmates’ health care services responsibilities in Bayamón Complex 501.
3. The petitioner, José Luis Ortiz Roche, is an inmate of the Bayamón Complex 501, located in Road 5, Ind. Luchetti Park in Bayamón, PR 00961-7403.

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II. Jurisdiction and Venue

1. This Honorable Court has jurisdiction over the instant case pursuant to the provisions of 42. U.S.C. § 1983, Civil action for deprivation of rights.
2. Venue is proper pursuant to 28 U.S.C. 1391 (b) (2) because the events or omissions giving rise to the claim occurred in Puerto Rico.

III. Allegations

1. The petitioner has been in confinement since 2016.
2. The petitioner suffers from a few health conditions. Among these conditions, the petitioner suffers from a neurological condition called “craneoplastía”.
3. This condition causes convulsions, fainting and epileptic like symptoms.
4. The defendant provides the health care services of the inmates in Bayamón 501, including the petitioners.
5. The defendant oversees the petitioner’s medical care and medications supply.
6. The plaintiff requests the care of a neurologist. His request has been ignored.
7. The plaintiff requires anticonvulsant medication.
8. The defendant has failed to properly administer the plaintiff’s medications.
9. The plaintiff suffers from convulsions due to lack of proper medication and evaluations.
10. As a result of these convulsions, the petitioner’s health condition has worsened.
11. The petitioner suffers from imbalance, hearing, and speech difficulties because of the defendant’s improper medical services.

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WHEREFORE, in view of the above, petitioner requests that the remedy herein sought be granted and demands compensatory damage relief for two hundred and fifty thousand dollars (\$250,000.00). Petitioner likewise prays for other just and equitable relief apt for the afore-stated circumstances.

I HEREBY CERTIFY that on this same date, a true and exact copy of this document has been filed using the CM/ECF system and that the government and all counsel of record will be notified of a copy of this motion by said system.

RESPECTFULLY SUBMITTED, in San Juan, Puerto Rico, this 7th day of February 2024.

s/Mayra Y. Vicil Bernier

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